

FORM PTO-1390
(REV. 9-2001)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

0136/0K432US0

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (If known, see 37 CFR 1.5

10/069473
Not Yet AssignedINTERNATIONAL APPLICATION NO.
PCT/KR00/00809INTERNATIONAL FILING DATE
26 March 2002

PRIORITY DATE CLAIMED

TITLE OF INVENTION

NOVEL PROTEIN DERIVED FROM AGKISTRODON SAXATILIS EMELIANOV AND PROCESS FOR PREPARING
THE SAME

APPLICANT(S) FOR DO/EO/US

Kwang-Hoe CHUNG; Doo-Sik KIM; Sung-Yu HONG; You-Seok KOH; Young-Doug SOHN;
Weon-Kyoo YOU; Yang-Soo JANG; Chin-Kyu HUH

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.
14. ☐ A SECOND or SUBSEQUENT preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☒ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:

1. Declaration concerning deposited microorganism or other biological matter
2. Statement Pursuant to Rule 1.821(f); Paper Copy of Sequence Listing

ENTER US MAIL CERTIFICATE

Date 3-26-02 Label No. 039141083-45I hereby certify that, on the date indicated above, this paper or
the was deposited with the U.S. Postal Service Post Officepage 1 of 1 addressed for delivery to the Assistant Commissioner for
Patents, Washington, DC 20231 by "Express Mail Post Office
to Addressee" service.

G. KARASZI J. Karaszi

U.S. APPLICATION NO. 10/089473 <small>(If known, see 37 CFR 1.57)</small> <small>Not Yet Assigned</small>		INTERNATIONAL APPLICATION NO. PCT/KR00/00809		ATTORNEY'S DOCKET NUMBER 0136/OK432US0	
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21. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO. \$1040.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$890.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$740.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$710.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 ENTER APPROPRIATE BASIC FEE AMOUNT =				CALCULATIONS PTO USE ONLY <table style="width:100%; border: none;"> <tr> <td style="width: 50%; border: none;">\$</td> <td style="width: 50%; border: none;">1040.00</td> </tr> </table>		\$	1040.00
\$	1040.00						
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				<table style="width:100%; border: none;"> <tr> <td style="width: 50%; border: none;">\$</td> <td style="width: 50%; border: none;"></td> </tr> </table>		\$	
\$							
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE				
Total claims	8 - 20 =	0	x \$18.00	\$			
Independent claims	4 - 3 =	1	x \$84.00	\$	84.00		
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$280.00	\$			
TOTAL OF ABOVE CALCULATIONS =				\$	1124.00		
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				+	\$ 562.00		
SUBTOTAL =				\$	562.00		
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				<table style="width:100%; border: none;"> <tr> <td style="width: 50%; border: none;">\$</td> <td style="width: 50%; border: none;"></td> </tr> </table>		\$	
\$							
TOTAL NATIONAL FEE =				\$	562.00		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$	40.00		
TOTAL FEES ENCLOSED =				\$	602.00		
				Amount to be refunded:	\$		
				charged:	\$		

a. ☒ A check in the amount of \$ 602.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
 A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any
 overpayment to Deposit Account No. 04-0100. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card
 information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR
 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

S. Peter Ludwig, Esq.
 Darby & Darby, P.C.
 26th Floor
 805 Third Avenue
 New York, New York 10022-7513
 Phone - 212.527.7700

SIGNATURE
 S. Peter Ludwig
 NAME
 25,351
 REGISTRATION NUMBER

Label No. 3-2602

Label No. 03914108348

I hereby certify that, on the date indicated above, this paper or fee was deposited with the U.S. Postal Service & that it was addressed for delivery to the Assistant Commissioner for Patents, Washington, DC 20231 by "Express Mail Post-Office to Addressee" service.

G. KARASZ

G. Karasz

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): CHUNG, Kwang-Hoe, et al.

Serial No.:

Group Art Unit:

Filed:

Examiner:

For: NOVEL PROTEIN DERIVED FROM AGKISTRODON SAXATILIS
EMELIANOV AND PROCESS FOR PREPARING THE SAME

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

DECLARATION

I, CHUNG, Kwang-Hoe, one of coinventors of the above-identified application, do hereby declare and state as follows:

1. The strain *Pichia pastoris* Y/pPSAX(Accession No. KCCM-10201) has been deposited with the Korean Culture Center of Microorganisms(KCCM), the international depository authority located at 361-221, Yurim B/D, Hongje-dong, Seodaemun-gu, Seoul 120-091, Republic of Korea, under the terms of the Budapest Treaty.

2. In support of the statement, a copy of the

deposit receipt for *Pichia pastoris* Y/pPSAX is attached herewith.

3. The strain will be irrevocably and without restriction of condition released to the public upon the issuance of U.S. Patent citing the above strain.

4. The strain is available, and will be available during pendency of the application, to one determined by the Commissioner of Patents and Trademarks to be entitled thereto under 37 C.F.R. § 1.14 and 35 U.S.C. § 122.

5. I declare that all statements made herein are based on personal knowledge or upon information and belief and are believed to be true; and, further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and such willful false statements may jeopardize the validity of the above-identified application or any patent issuing thereon.

Date:

May 7, 2002

Kwang Hoe Chung
CHUNG, Kwang-Hoe